

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-CV-851-RJC**

IN RE MATTHEW ALAN JENKINS,

Debtor.

DIANNA LEE JENKINS,

Appellant,

v.

**JAMES T. WARD, TRUSTEE FOR
MATTHEW ALAN JENKINS,**

Appellee.

JUDGMENT

Pursuant to the Order entered on September 6, 2013 in the above-referenced matter, the Court has adopted the Bankruptcy Judge's Recommendations as to final disposition of Adversary Proceeding No. 12-0533.

IT IS THEREFORE ORDERED that:

- 1) James T. Ward, Trustee for Matthew Alan Jenkins, is awarded judgment in the amount of \$226,031.33 against Dianna Lee Jenkins as an initial transferee pursuant to 11 U.S.C. § 550(a)(1) with respect to the Trustee's claims based on actual fraud pursuant to 11 U.S.C. § 544(b) and N.C. Gen. Stat. § 39-23.4(a)(1);
- 2) James T. Ward, Trustee for Matthew Alan Jenkins, is awarded partial summary judgment against Dianna Lee Jenkins as to the issue of constructive fraud

pursuant to 11 U.S.C. § 544(b) and N.C. Gen. Stat. §§ 39-23.4(a)(2) and 39-23.5(a).

Signed: September 18,

Robert J. Conrad Jr.
Robert J. Conrad, Jr.
United States District Judge

